

3/17 DAC R.M.
#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 3634

: PATENT APPLICATION

Examiner D. Purol

In re application of

JOHN RUPEL ET AL.

: LIGHT CONTROL WINDOW
COVERING AND METHOD OF
MAKING SAME

Serial No. 08/979,438

Filed November 26, 1997



RECEIVED

JAN 12 2000

**RENEWED PETITION UNDER 37 CFR 1.8
TO WITHDRAW THE
HOLDING OF ABANDONMENT**

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Pittsburgh, Pennsylvania 15219

January 4, 2000

Assistant Commissioner for Patents

Washington, D. C. 20231

Sir:

In response to the Decision on Petition to Withdraw the Holding of Abandonment dated November 4, 1999, applicants request reconsideration of the petition and withdrawal of the Notice of Abandonment of April 22, 1999.

RECEIVED
JAN 21 2000
TC 3600 MAIL ROOM

I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on

January 4 2000
Buckanan Ingersoll
[Signature]

On April 29, 1999, applicants petitioned for withdrawal of the notice of abandonment because a timely response had been filed to the Office Action of September 21, 1998. A copy of that response (election) that was mailed to the Patent and Trademark Office on October 19, 1998, was attached to the petition. Since a timely response was filed the application was not abandoned and the Notice of Abandonment should have been withdrawn.

In the Decision on the petition to withdraw the holding of abandonment the Director refused the petition because there was no statement accompanying the petition which attested to the filing of a timely response. The petition itself had stated that a timely response was filed and provided a copy of the response. To cure the defect applicants attach a statement which attests to the timely submission of a response.

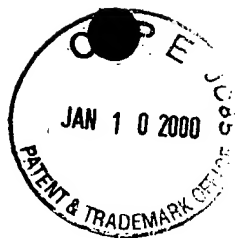
A response to the Office Action of September 21, 1998, was timely mailed to the Patent and Trademark Office. Consequently there was no abandonment. The attached statement overcomes the Director's objection to the petition.

It is respectfully requested that the above-identified application be reinstated and that the Notice of Abandonment be withdrawn.

Respectfully submitted,



Lynn J. Alstadt
Registration No. 29,362
BUCHANAN INGERSOLL, P.C.
One Oxford Centre
301 Grant Street, 20th Floor
Pittsburgh, PA 15219
(412) 562-1632



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 3623 : PATENT APPLICATION

Examiner D. Purol :

In re application of :

JOHN RUPEL ET AL. : LIGHT CONTROL WINDOW COVERING
AND METHOD OF MAKING SAME

Serial No. 08/979,438 :

Filed November 26, 1997 :

JAN 12 2000

RECEIVED
OFFICE OF PETITIONS
DEPUTY A/C PATENTS

DECLARATION OF LYNN J. ALSTADT

I, Lynn J. Alstadt, state that I am the attorney of record responsible for prosecution of the above-titled application.

On October 19, 1998, I prepared an election in response to the Office Action dated September 21, 1998. I placed a certificate of mailing on the response, signed it and gave it to my secretary for mailing. A copy of that response is attached.

It is my standard practice to confirm that any response to an Office Action which contains a certificate of mailing that I signed is placed in my outbox for pick-up by a mail clerk who takes it to the firm mailroom for postage and delivery to the building mailbox for pick-up by the

I hereby certify that this correspondence is being
deposited with the United States Postal Service at first
class mail in an envelope addressed to: Commissioner
of Patents and Trademarks, Washington, D.C. 20231,
on

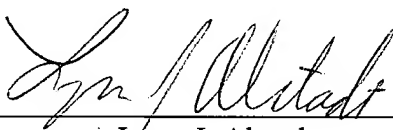
January 8, 1999
Buckner Ingelson
[Signature]

United States Post Office mailman. I am confident that on October 19, 1998, I confirmed that the envelope containing the response was properly addressed to the Commissioner of Patents and picked-up by our mail clerk. Based upon my experience with our mailroom, I believe that the mailroom followed its standard practices and applied the correct postage and delivered the envelope to the United States Post Office mailman on October 19, 1998.

If the envelope had not been mailed or had been returned, I would have been notified of that fact. Since I received no such notice, I believe that the response was timely mailed.

I declare that the foregoing is true and correct, that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: January 4, 2000


Lynn J. Alstadt